



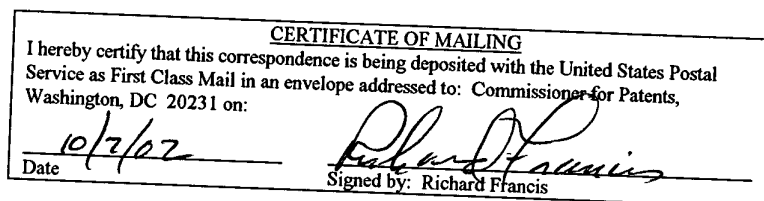
1772

Patent
Case No.: 56523US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: WILLIAMS, TODD R.
Application No.: 09/871421
Filed: May 31, 2001
Title: DIMENSIONALLY STABLE COMPOSITE ARTICLE AND METHOD OF MAKING THE SAME

Group Art Unit: 1772
Examiner: Chevalier, Alicia Ann

A9
10-1702
DonELECTIONCommissioner for Patents
Washington, DC 20231

Dear Sir:

The Office Action mailed September 23, 2002 included a restriction requirement under 35 U.S.C. § 121, as follows:

- I. Claims 1-14 and 24-34, drawn to a method of making a composite article, classified in class 156, subclass various; and.
- II. Claims 14-23 and 35-50, drawn to a composite article, classified in class 428, subclass 173.

The Office Action indicates that the inventions are distinct, each from the other because of the following reasons:

1. Inventions in Group I and Group II are related as process of making and product made. The Office Action indicates that the inventions are distinct if either or both of the following can be shown:
 - a. that the process as claimed can be used to make other and materially different product or
 - b. that the product as claimed can be made by another and materially different process. In the instant case, the Office Action speculates that the product claimed can be made by a materially different process such as using ultra-violet light to cure the resin or directly exposing the layer to radiation.

RECEIVED

OCT 17 2002

TC 1700 MAIL ROOM

Election

Applicants' hereby elect the invention of Group I, claims 1-14 and 24-34, drawn to a method of making a composite article. This election is made with traverse.

Reconsideration of the restriction requirement is respectfully requested. It is submitted that a search of the prior art with respect to the method claims would reveal prior art relevant to the article claims. Likewise, it is submitted that a search of prior art relative to the article claims would reveal prior art relative to the method claims. The mere fact that the method and article are classified in different subclasses should not be sufficient to require a restriction. It is not uncommon for Examiners to search more than one subclass relative to a claimed invention.

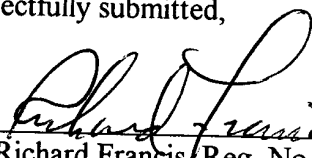
The restriction requirement places an undue burden on the assignee of the application because it requires additional expense in filing multiple patent applications and maintaining multiple patents once the applications have issued as patents which requires additional maintenance fees to be paid over the life of the patent. It further requires expenditure of additional attorney time to file and prosecute the additional applications. Reconsideration of the restriction requirement is, therefore, respectfully requested.

Respectfully submitted,

Date

10/7/02

By:


Richard Francis, Reg. No.: 25,393
Telephone No.: 651-733-7519

Office of Intellectual Property Counsel
3M Innovative Properties Company
P.O. Box 33427
St. Paul, MN 55133-3427
Facsimile No.: 651-736-3833

RECEIVED
OCT 17 2002
TC 1700 MAIL ROOM